

**REMARKS**

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1-11 remain pending in the present application. Since no issues are presented, it is respectfully requested that the Examiner enter the response on the record. The response will present Applicants' position in better form for appeal. No new matter has been added.

By way of summary, the outstanding Official Action presents the following issues:

Claims 1-11 stand rejected under 35 U.S.C. § 103 as being obvious with respect to Morse et al. (U.S. Patent No. 5,802,296, hereinafter "Morse") in view of Matsui et al (U.S. Patent No. 5,956,028, hereinafter "Matsui") and in further view of Falcara (U.S. Patent 6,377,263, hereinafter "Falcara").

**REJECTION UNDER 35 U.S.C. § 103**

The Official Action has rejected Claims 1-11 under 35 U.S.C. § 103 as being unpatentable over Morse, Matsui, and Falcara. The Official Action cites Morse as disclosing all of the Applicants' claim limitations with the exception of a management node at a server, or an interpretation node at each user terminal for cooperating with the management node. The Official Action cites Matsui and Falcara as disclosing these more detailed aspects of the Applicants' invention and states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to arrive at the Applicants' claims. Applicants respectfully traverse the rejection.

Claim 1 recites, *inter alia*, an information processing system including:

"... each of the terminals provides a movement interpretation node configured to set forth parameters needed for interpretation of the movement of an associated virtual living object based upon user input and

to provide the movement interpretation node to the server via the network,  
and

wherein the server provides a management node configured to  
determine at least some movements for each virtual living object in the  
virtual community space based on the movement interpretation node  
received from each terminal.” (emphasis added)

The above emphasized claim features must be shown to be taught or suggested by the cited references in order to establish obviousness. In this regard, note that In re Chu, 36 U.S.P.Q. 2d 1089, 1095 (Fed. Cir. 1995) requires consideration of each limitation that provides a benefit and an explanation in terms of a prior art teaching or suggestion to maintain that such limitation would have been obvious in a § 103 sense. To this end, the Official Action relies on the following references, the disclosure and teachings of each of which are outlined below.

Morse discloses a computer system (110) for allowing users (120.x) to interact with each other via a client computer. The client computers (130) are connected to a server computer (140) via a network.<sup>1</sup> The computer system provides virtual objects in a virtual world for interaction with user controlled “avatars”. A user controls his avatar by issuing commands at the client computer. For example, avatars interact with each other under control of a user to move, speak with other users, etc.

Matsui discloses a virtual space communications system including a data management computer (200), a host computer (100), which cooperatively provide data to client computers (10) for sharing a processing load of the system. The host computer and data management computer cooperatively function such that the management computer transfers data with client computers to provide virtual objects in accordance with data of the management

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<sup>1</sup> Morse at column 2, lines 15-21.

computer. The property of such objects are dictated by the data transfer of host computer.<sup>2</sup> Thus, in operation, upon a request by a user at a client computer, the data management computer provides VRML files for describing a desired virtual space (V) from the network (NW). The file is interpreted at the client computer and the virtual space is created on a display of the client computer. An object table is generated at the client computer and the client computer notifies the host computer through the network that an object corresponding to the client computer has entered the virtual space. The host computer, upon receiving such notification, updates the corresponding virtual space area Table by adding a new object to the virtual space area Table showing the relation of each virtual space and objects existing in the virtual space.<sup>3</sup>

Finally, Falcara discloses a software (VRML) component hierarchical structure in which VRML software components are structured to define an appearance, composition and personality of an object. The component includes two additional aspects identified as "parts" and "attributes". The parts are logical names for elements within the geometrical model of the component. Attributes are used to store non-geometric information about the Abstract or physical properties of a component such as weight, maximum speed and aggressiveness.<sup>4</sup>

Conversely, Applicants' information processing system provides user terminals having movement interpretation nodes (112) which are configured to provide parameters for interpretation of the movement of an associated virtual living object based upon user input.<sup>5</sup> Based on the parameters, the movement interpretation node provides the parameters to the server via a network. The server includes an object management node (102) for determining at least some movements for each of the virtual living objects in the virtual community space

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<sup>2</sup> Matsui, column 10, line 18 through column 11, line 21.

<sup>3</sup> Matsui at column 11, line 31 through column 12, line 3.

<sup>4</sup> Falcara at column 7, lines 3-33.

<sup>5</sup> Application at Figure 8.

based upon the interpretation nodes of each client PC. In this way, Applicants' information processing system provides a distributed control of virtual living objects in a virtual community space. This is a novel aspect of the Applicants' invention as it enables a dynamic editing of an action and structure of a virtual object which heretofore had been controlled by a service provider such as in the Matsui system.<sup>6</sup>

Simply stated, Matsui does not disclose a cooperative management node in accordance with the Applicants' claim, as it does not disclose or suggest a management node for cooperating with movement interpretation nodes of user terminals, but rather dictates virtual object control in the usual manner. Likewise, Falcara does not disclose or suggest movement interpretation nodes, but rather, a VRML software component structure.

As none of the references, either alone or in combination, disclose or suggest providing a management node configured to determine at least some movements for each virtual living object in a virtual living community space, based upon movement interpretation nodes of a user terminal, Applicants' submit that Claim 1 and any claim depending therefrom is patentably distinguishable over the cited references. Likewise, Claims 3, 5, 7, 9 and 11 recite substantially the same limitations as discussed above and are allowable, including any claims depending therefrom, at least for the same reasons discussed above.

Accordingly, Applicants respectfully request that the rejection of Claims 1-11 under 35 U.S.C. § 103 be withdrawn.

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<sup>6</sup> Application at page 4, lines 11-13.

**CONCLUSION**

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Thus, an early and favorable action to this effect is, therefore, respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

22850

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
BDL/SAM/cja

  
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Bradley D. Lytle  
Attorney of Record  
Registration No. 40,073

Scott A. McKeown  
Registration No. 42,866